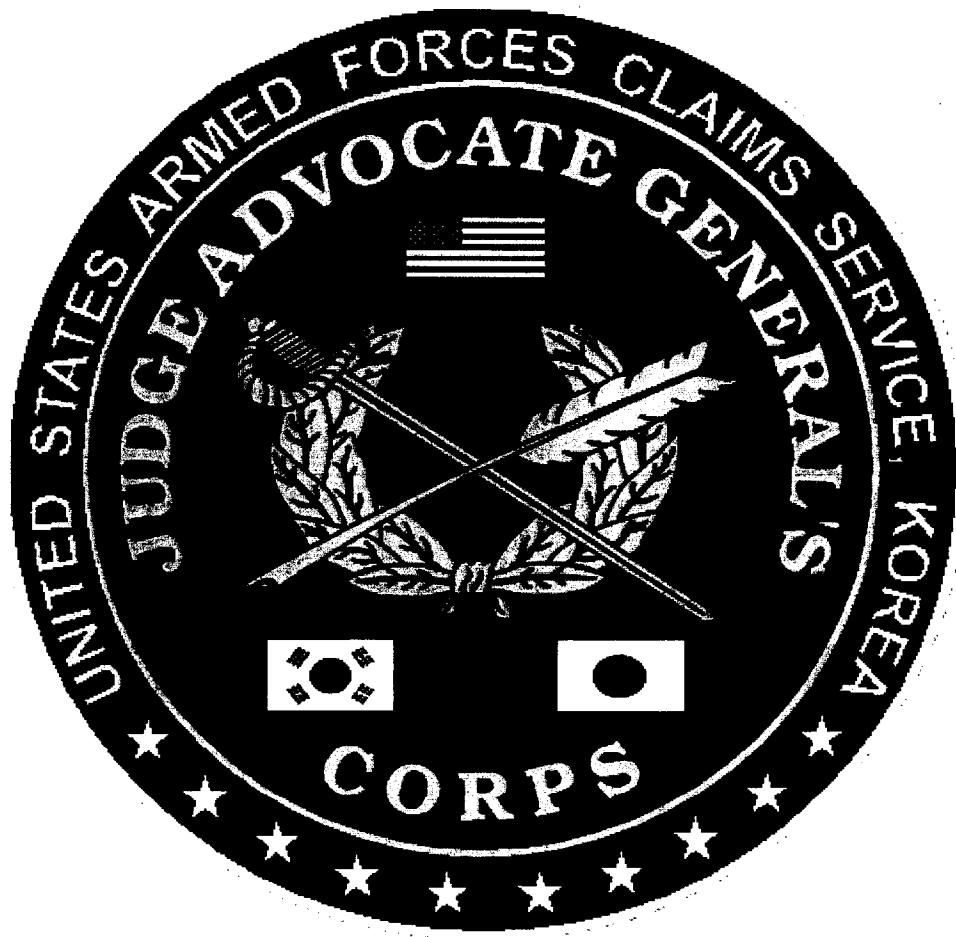


INCONVENIENCE

UNITED STATES ARMED FORCES



CLAIMS SERVICE-KOREA



DEPARTMENT OF THE ARMY  
UNITED STATES ARMED FORCES CLAIMS SERVICE, KOREA  
UNIT #15311  
APO AP 96205-5311

REPLY TO  
ATTENTION OF:

FKJA-CSK (27-20a)

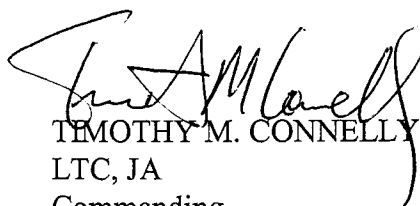
1 September 2004

MEMORANDUM FOR CLAIMS CUSTOMERS

SUBJECT: Inconvenience Claims, Delayed Shipment of Household Goods or Loss of Use Claims

1. I regret to inform you that the United States Armed Forces Claims Service – Korea has no legal authority to compensate you for inconvenience claims. IAW DA Pam 27-162, Chapter 11, paragraph 6d(1)(b), expenses such as “food or lodging cost, vehicle rental costs, or similar expenses incurred because a claimant’s goods or vehicle were not delivered in a timely manner” are not compensable.
2. If you have experienced such a loss, you should contact your local Transportation Office at 738-8912 and/or the Legal Assistance Office at 738-6841. If a common carrier caused the delay, you may file a claim directly against the carrier. Document your expenses by keeping receipts or sworn statements. If the Transportation Office and the Legal Assistance Office cannot settle your claim with the carrier, the case should be referred to the Military Traffic Management Command.
3. Any additional expenses that you incur because of the delay of your household goods shipment, caused through no fault of your own, may also be referred to the Defense Accounting Office for consideration under applicable federal travel regulations.
4. If you need any further assistance, please do not hesitate to contact us at 738-8111/8219/8242/8294.

Encls  
as

  
TIMOTHY M. CONNELLY  
LTC, JA  
Commanding

# FILING INCONVENIENCE CLAIMS

## U.S. Armed Forces Claims Service, Korea

Many US service members and civilian employees are unaware that they may be able to file a claim for expenses they incur when inconvenienced due to a moving company's failure to pick up and/or deliver personal property shipments by an agreed upon date. Claimants may submit a claim directly to the carrier for reimbursement of expenses such as food and lodging costs (these claims cannot be filed against the US Government). In the past, the carrier industry has generally shown a willingness to pay a portion of the expenses incurred because of their failure to perform. Reasonable claims for reimbursement may include, but are not limited to, claims for additional lodging costs, i.e., motel or hotel expenses, approximately half of food expenditures, additional expense for laundry services, and rental of essential items, e.g., costs, cribs, refrigerators, etc. The information below will assist you in pursuing a claim against the carrier.

How do I determine the amount of my claim? You should only include those out-of-pocket living expenses which are **over and above** what you would normally have spent had the shipment been picked up and/or delivered on the required dates. If possible, notify the Installation Transportation Office (ITO) prior to making out-of-pocket expenses.

Are there any offices available to assist me with filing? For Air Force and Army personnel, the destination Transportation Office will assist you in preparing the claim. For Navy and Marine Corps personnel, the local Transportation Office should assist you. Legal Assistance Officers are available to assist in drafting letters to the carrier. Also, you may pick up claims packets, including sample claims letters from the United States Armed Forces Claims Service, Korea, located in the Community Services Building, building 4106, South Post, Yongsan Army Garrison.

What documentation should accompany my claim? Your claims packet should include, at a minimum, a copy of your claim letter, copies of your receipts for out-of-pocket expenses, copies of the Government Bill of Lading, DD Form 1299 (Application for Shipment of Personal Property), DD Form 619-1 (Statement of Accessorial Services Performed) and a statement explaining the basis for the claim from the Personal Property Shipping Office.

How do I file? You should forward your claim to the carrier's home office by certified mail (with a return receipt requested) and furnish a copy to the ITO. This copy will be filed in your shipment file. The carrier's address may be obtained from the nearest ITO. Receipts must accompany your claim before the carrier will consider action. This allows the carrier to verify the amount of the claim.

What happens if my claim is denied? If a carrier does not accept or acknowledge your claim, he is not in violation of the tender of service. However, the military closely monitors carrier responses to such claims. The ITO forwards copies of denials of valid claims to the appropriate military department for information and action.

If your claim has not been acknowledged within thirty days of submission, you should notify the Quality Control section of the nearest ITO. Personnel working in this office have the responsibility to ensure the carrier provides quality service and prompt delivery. Although the reimbursement by the carrier for inconvenience due to failure to deliver on time is not a violation of the carrier's contract with the US Government, failure to deliver on time is a violation. The information that you provide to the

Quality Control section can assist them in determining the carrier's intent to provide quality and efficient service to the customer.

If your claim is not settled within sixty days of submission, it should be considered a denial. If your claim is denied in writing, you should provide the ITO with a copy of the denial. The Personal Property Shipping Office will appeal the denial to the carrier's home office. If this office is unsuccessful in resolving the claim with the carrier, the case file should be referred to the appropriate major command for Army and Air Force, for Marine personnel (Marine Corps Headquarters), and for Navy personnel (NAVMTO). The command/service will review and verify the reasonableness of the claim and forward the package to the Commander, Military Traffic Management Command (MTMC) for assistance in resolving the case with the carrier. Finally, if the Commander, MTMC, is unable to resolve the claim with the carrier, the member will be advised of his/her rights to seek recourse against the carrier through civil court.

Who should I contact if I have further questions? In addition to contacting the ITO and the Legal Assistance Office, you may contact the United States Armed Forces Claims Service, Korea at 738-8294/8219.

Slow Poke Van Lines  
XXXX Hollywood Blvd  
Los Angeles, CA XXXXX

SUBJECT: Inconvenience Claim

Dear Sir:

I am writing to file an inconvenience claim against your company for the out-of-pocket expenses that my family and I incurred due to your failure to meet the required delivery date (RDD) on my household goods shipment.

My household goods shipment was picked up on 15 July 2003 at Fort Drum, New York under GBL #JP000,000 with a RDD of 15 September 2003. My shipment was delivered on 15 December 2003, ninety days past the RDD.

I had economy quarters on 15 September 2003 but was forced to move into a local hotel since my household goods did not arrive. The local military family housing office did not have furniture available for our use. The hotel expenses were in addition to my monthly rent that I also had to pay. I was also forced to purchase essential winter clothes since these items were shipped with my HHG's.

The items listed below are those out-of-pocket expenses that were imposed upon me and my family due to the late arrival of my HHG shipment.

10 days in a Korean Hotel (\$40/day) X 10	= \$400.00
Meals for 10 days (wife & 3 children)	= \$325.00
5 pullover sweaters	= \$100.00
5 winter coats	= <u>\$200.00</u>
 Total amount of claim	 \$1,025.00

I request that your company remit a check payable in the amount shown above to me at the address in the heading of my letter. If you have any questions, please call me at 123-456-7890.

Sincerely,

John B. Doe